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ATTORNEY DOCKET NO.: 051481-5071
Application No.: 09/888,618

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

)

Frederic GAGNON

)

Application No.: 09/888,618

)

Examiner: Unassigned

Filed: June 26, 2001

)

Group Art Unit: 3753

For: AIR MASS FLOW CONTROLLER VALVE

Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing parts of Application (PTO-1533) mailed August 20, 2001.

A copy of the Notice To File Missing Parts Of Application-Filing Date Granted (Form PTO-1533) is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

[] Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

[] Verified Statement(s) that this is a filing by a small entity
 [] is attached

[] was filed on _____.

5. Fee Calculation

			Basic Fee:	
			Patent Application -	\$740.00
			Design Application -	\$330.00
	Number Filed Number Filed	Number Extra	at a Rate of	
Total Claims	18 – 20	2	\$18.00 each=	\$
Independent Claims	2 - 3 =	0	\$80.00 each=	\$0.00
Multiple dependent claim(s), if any			\$270.00	\$0.00
Missing Parts Surcharge Fee			\$130.00	\$130.00
				SUB-TOTAL = \$870.00
				Reduction by 1/2 for filing by a small entity - \$
				SUB-TOTAL = \$870.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d))			\$130.00	+
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d))			\$130.00	+
				TOTAL FILING FEE = \$870.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

[] Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 390.00	\$195.00
[] three months	\$ 890.00	\$445.00
[] four months	\$1,390.00	\$695.00

Extension of time fee due with this request: \$ 0.00

If an additional extension of time is required, please consider this a Petition therefor.

[X] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is: Completion Fees \$870.00
Extension Fees \$ 0.00
Assignment Recordation Fee \$ 40.00

Total Fee Due : \$910.00

[X] **A check in the amount of \$910.00 representing the total filing fees due is enclosed.**

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

ATTORNEY DOCKET NO.: 051481-5071
Application No.: 09/888,618
Page 4

8. Additional papers enclosed.

- Assignment and form PTO 1595**
 Preliminary Amendment
 Information Disclosure Statement
 Form PTO-1449, _____ listed thereon
 Citations
 Declaration of Biological Deposit
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Philip J. Hoffman
Reg. No. 46,340

Date: October 9, 2001

CUSTOMER NO. 009629
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UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/888,618	06/26/2001	Frederic Gagnon	051481-5071

009629
MORGAN, LEWIS & BOCKIUS
1800 M STREET NW
WASHINGTON, DC 20036-5869



CONFIRMATION NO. 8348
FORMALITIES LETTER



OC00000006444704

Date Mailed: 08/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/11/2001 SMINASS1 00000075 09888618

01 FC:101 740.00 OP
02 FC:105 130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE